

DATE

Jeffrey T. Nolan
40193 Cottonfield Avenue
Gonzales, Louisiana 70737

Re: **Louisiana Board of Ethics**
Docket No. 2021-244

Dear Mr. Nolan,

The Louisiana Board of Ethics, at its meeting on June 4, 2021, considered your request for an advisory opinion as to whether Section 1121 of the Code of Governmental Ethics ("Code") would prohibit you from providing environmental consulting services to private individuals and entities regarding administrative and civil regulatory issues following your retirement from the La. Department of Environmental Quality ("DEQ").

FACTS PROVIDED

You were employed by DEQ from December 1999, until your retirement in June 2020. In November 2008, you became the Environmental Scientist Manager within the Criminal Investigation Section. You stayed in this position until your retirement. You were a commissioned law enforcement officer who was authorized to investigate and make arrests when criminal violations of the Environmental Quality Act were committed knowingly and willfully. You would then notify the appropriate district attorney for further criminal prosecution, pursuant to La. R.S. 30:2025(F)(4).

You are now considering employment with several environmental consulting firms, businesses, and individuals who may be regulated by DEQ. You plan to provide environmental consulting services regarding administrative and civil regulatory compliance issues.

LAW

La. R.S. 42:1121B(1):

No former public employee shall, for a period of two years following the termination of his public employment, assist another person, for compensation, in a transaction, or in an appearance in connection with a transaction in which such former public employee participated at any time during his public employment and involving the governmental entity by which he was formerly employed, or for a

period of two years following termination of his public employment, render, any service which such former public employee had rendered to the agency during the term of his public employment on a contractual basis, regardless of the parties to the contract, to, for, or on behalf of the agency with which he was formerly employed.

CONCLUSION

The Board concluded, and instructed me to inform you, that, generally, Section 1121B(1) will not prohibit you from providing consulting services to private individuals or entities on administrative and civil regulatory issues, provided that you did not participate in those specific administrative and civil regulatory transactions while employed by DEQ. Should a specific situation arise in which you participated at any time during your employment with DEQ, the Board suggests you seek an additional advisory opinion.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts as presented may result in a different application of the provisions of the Code of Governmental Ethics. Please note that the Board issues no opinion as to past conduct and that the Board's expressed opinion is limited to an examination of the Code of Governmental Ethics, the Campaign Finance Disclosure Act, the Lobbyist Disclosure Acts, and the conflict of interest provisions in the gaming laws.

If you have any questions, please contact me at (800)842-6630 or (225)219-5600.

Sincerely,

LOUISIANA BOARD OF ETHICS

David M. Bordelon
For the Board

This is a draft opinion and it is NOT an opinion of the Louisiana Board of Ethics. No party may rely on the facts or conclusions. The analysis and conclusions herein are provided for discussion purposes only, and are subject to change or revision at the meeting of the Board of Ethics at which this matter is considered.